

REMARKS

Claims 19-24, 26-28, and 30-38 are pending.

This amendment is supported throughout the specification. No new matter is added by this amendment.

Support for this amendment is found throughout the specification. See, e.g., page 35, lines 1-5, which summarize a method described in Fisher et al, J. Virol, 70:520-532 (1996), which is incorporated by reference in the present application and also in the priority documents.

Applicants wish to clarify a point raised by the examiner in the Advisory Action, in which it is stated that it is not clear that there is a difference between the removal of adenoviral helper virus function and removal of the adenovirus itself.

Applicants note that the Podsakoff patent, '351 teaches that residual helper virus can be inactivated using known methods, such as heat inactivation of an adenovirus helper. [col. 15, lines 1 - 7]. Podsakoff does not teach removal of helper virus. Nor does Podsakoff recognize that the inactivated adenovirus helper present in the rAAV may be immunogenic, as he teaches that the heat inactivated rAAV virions are ready for use following heat inactivation of the Ad helper [col. 15, lines 7-11].

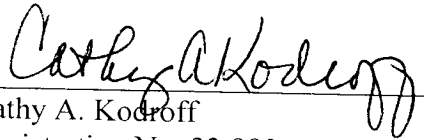
In contrast, Applicants claims recite that the rAAV preparations are free of contaminating adenovirus helper detectable by histochemical staining. By removing the physical presence of the adenovirus helper, immunogenicity is reduced.

The Director of the U. S. Patent and Trademark Office is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees paid on the filing, or during prosecution of this application to Deposit Account No. 08-3040.

Respectfully submitted,

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